

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DAVID WILSON,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-11-1431-R
)	
OKLAHOMA DEPARTMENT OF)	
CORRECTIONS, et al.,)	
)	
Defendants)	

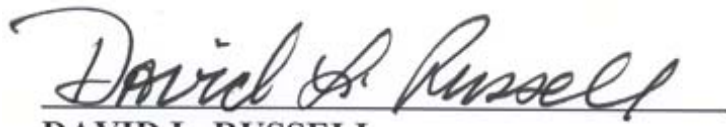
ORDER

Before the Court are the Report and Recommendation of United States Magistrate Judge Gary M. Purcell [Doc. No. 12] and Plaintiff's Objection to the Report and Recommendation [Doc. No. 13]. The Magistrate Judge has recommended that Plaintiff's motion for leave to proceed *in forma pauperis* be denied because the Magistrate Judge found that Plaintiff has sufficient financial resources to pay the filing fee. The Magistrate Judge also recommended that this action be dismissed unless Plaintiff paid the full filing fee to the Court Clerk by January 23, 2012. Plaintiff in his Objection asserts, *inter alia*, that the prison official who certified Plaintiff's Statement of Institutional Accounts on his motion for leave to proceed *in forma pauperis* did not correctly calculate the average monthly deposits to Plaintiff's institutional accounts for the six-month period immediately preceding the filing of this action. However, the Court has no way to ascertain that this is the case because Plaintiff did not attach to his motion and affidavit a certified copy of his institutional account statement for the six-month period immediately preceding the filing of this action, as is

required. *See* Motion for Leave to Proceed *In Forma Pauperis* [Doc. No. 11] at p. 2. Accordingly, the Court cannot consider Plaintiff's Objection.

Therefore, the Report and Recommendation of the Magistrate Judge [Doc. No. 12] is ADOPTED and Plaintiff's motion to proceed *in forma pauperis* is DENIED. Plaintiff is GRANTED leave to file another motion for leave to proceed *in forma pauperis* to which is attached, as required, a certified copy of his institutional account statement for the six-month period immediately preceding the filing of this action. Unless Plaintiff files such a motion or pays the full filing fee within fifteen (15) days of the date of this Order, this case will be dismissed. If Plaintiff either files another motion to proceed *in forma pauperis* or pays the full filing fee within that time period, this case shall again be referred to the Magistrate Judge for further proceedings consistent with the original Referral Order.

IT IS SO ORDERED this 25th day of January, 2012.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE